

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

LAWRENCE PATRICK PHILLIPS

*

Plaintiff,

*

v.

* CIVIL ACTION NO. 2:05-CV-1159-T

ANTHONY CLARK, *et al.*,

*

Defendants.

*

ORDER

Plaintiff filed this 42 U.S.C. § 1983 action on December 7, 2005. At the time he filed this complaint, Plaintiff was incarcerated at the Covington County Jail located in Andalusia, Alabama. On December 22, 2005 the envelope containing Plaintiff's copies of orders filed December 14, 2005 were returned to the court marked "moved, left no forwarding address, return to sender," because Plaintiff was no longer at the address he had provided to the court.

All parties have an affirmative duty to inform this court of any change of address during the pendency of their actions. Upon review of the pleadings filed in the instant matter, it is clear that the court file does not contain an alternate address for Plaintiff and that he has not provided this court with a current address since the inception of filing the instant complaint. Accordingly, the court concludes that Plaintiff shall be granted an opportunity to show cause why his complaint should not be dismissed for his failure to keep the court informed of his current address.

Accordingly, it is ORDERED that:

1. On or before January 9, 2006 Plaintiff SHOW CAUSE why his complaint should not be dismissed for his failure to provide the court with his current address. Plaintiff is cautioned that his failure to comply with this order will result in a Recommendation that his complaint be dismissed without prejudice;

2. The directive that Defendants file an answer and written report to Plaintiff's complaint be held in ABEYANCE pending Plaintiff's response to the instant order; and

3. The Clerk of Court SEND copy of this order to Defendants and to Plaintiff at his last known address.

Done this 27th day of December 2005.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE